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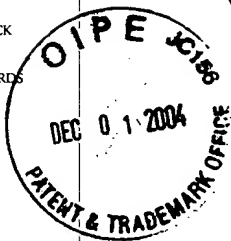
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PATENT APPLICATION

Docket No: 15689.62

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Minami Ishii et al.

Serial No.:

09/750,814

Confirmation No.:

8262

Filed:

December 28, 2000

For:

PATH TIMING DETECTING METHOD IN
MOBILE COMMUNICATIONS SYSTEM
AND BASE STATION

Customer No.:

022913

Examiner:

Sheila B. Smith

Art Uni:
2681

TRANSMITTAL OF ISSUE FEE PAYMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance and Issue Fee Due dated September 7, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above identified patent application:

X Issue Fee Transmittal (PTOL-85B) submitted pursuant to 37 C.F.R. § 1.311.

* Admitted only in California

† Admitted only in New York

§ Admitted only in Virginia

- ☐ A Supplemental Declaration executed by the inventor(s) is submitted pursuant to 37 C.F.R. § 1.67.
- ☒ A Certificate of Deposit Under 37 C.F.R. § 1.8 is enclosed.
- ☐ Pursuant to the request for submission of formal drawings, enclosed are the following:
 - ☐ A Letter to the Official Draftsperson;
 - ☐ A set of _____ () sheets of formal drawings to replace the corresponding drawings originally filed with the subject application.
 - ☐ A duplicate set of the _____ () sheets of formal drawings with the changes therein highlighted in red.
- ☒ PTO 2038 Credit Card form for \$1,675.00 is enclosed to cover:
 - ☒ The \$1,330.00 government issue fee pursuant to 37 C.F.R. § 1.18.
 - ☒ The \$30.00 government publication fee pursuant to 37 C.F.R. § 1.18.(d)
 - ☒ The \$45.00 fee for fifteen (15) copies of the patent when issued.
- ☒ The Commission is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 23-3178.
- ☒ A duplicate copy of this letter is enclosed.

Comments on Statement of Reasons for Allowance

On page 2 of the Examiner's Notice of Allowability, the Examiner has indicated that no prior art was found that "Regarding claims 2, 4, 6, 8, the prior art of record considered alone or in combination neither anticipates nor renders obvious a path timing detecting method in a mobile communications system, in

which when a plurality of mobile stations access a base station using a common channel at arbitrary timings each mobile station transmits a preamble for notifying the base station of an occurrence of a message before actually transmitting the message, the base station transmits, in response to reception of the preamble, a transmission control signal authorizing the mobile station to transmit the message, and the mobile station that received the transmission control signal starts transmitting the message. Said path timing detecting method comprising: a step of identifying an effective path timing range using the preamble received by the base station; and a step of detecting effective path timings in the identified path timing range using the message transmitted from the mobile station. .”

Applicants respectfully submit that the claimed invention as set forth in each of the independent claims and the dependent claims must be read as a whole, and not as a single feature or subcombination of features which represent less than the entirety of the claimed invention as a whole. While a particular feature or subcombination of features referred to by the Examiner in the Statement of Reasons for Allowance may represent a basis for distinguishing the claimed invention over the prior art, Applicants further submit that this may not necessarily be the *sole* ground for distinguishing the claimed invention over the prior art of record. Accordingly, the Examiner’s statement should, in Applicants’ view, not be read as constituting or meaning that the invention can or should be reduced to a single “feature” of the invention or to a subcombination of features that is less than the entire invention claimed as a whole, nor that the single feature referenced by the Examiner or subcombination of features referenced by the Examiner in the Statement of Reasons for Allowance is the only or sole grounds for distinguishing the invention over the prior art of record.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 1st day of December 2004.

Respectfully submitted,



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